# JAN 0 9 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

§

§ §

§

§

In re Application of:

James E. King, et al.

Serial No. 10/086,147

Filed: February 28, 2002

For: CONFIGURING PROCESSING

**UNITS** 

Group Art	Unit: 2134	
Examiner:	Heneghan,	Matthew E

Attorney Docket No.: 5681-04202

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

B. Noël Kivlin
Name of Registered Representative

January 5, 2006 Date

Signature

### FEE AUTHORIZATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fee to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5681-04202:

Fee:

Terminal Disclaimer

Amount:

\$130.00

Attorney Docket No.:

5681-04202

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,

B. Noël Kivlin Reg. No. 33,929

ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.

P.O. Box 398

Austin, Texas 78767-0398 Phone: (512) 853-8800 Date: January 5, 2006

TFW 2134

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

§

§

§

§

In re Application of:

James E. King, et al.

Serial No. 10/086,147

Filed: February 28, 2002

For: CONFIGURING PROCESSING

**UNITS** 

Group Art Unit: 2134
Examiner: Heneghan, Matthew E.

Attorney Docket No.: 5681-04202

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

on the date indicated below:

B. Noël Kivlin

Name of Registered Representative

January 5, 2006 Date

Signature

# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

- 1. SUN MICROSYSTEMS, INC. is the owner of all rights in the captioned application.
- 2. As sole owner in the captioned application, SUN MICROSYSTEMS, INC. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Serial No. 09/930,384 titled "Portable Network Encryption Keys" filed on August 15, 2001. SUN MICROSYSTEMS, INC. hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

In making the above disclaimer, SUN MICROSYSTEMS, INC. does not disclaim 3.

the terminal part of any patent granted on the captioned patent application that would extend to the

expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any

patent granted on the second application, as shortened by any terminal disclaimer filed prior to the

grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in

whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination

certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term

as shortened by any terminal disclaimer filed prior to its grant.

4. The undersigned is an attorney of record.

5. A Fee Authorization form for the Terminal Disclaimer fee under 37 CFR 1.20(d) is

included.

If the Fee Authorization form is missing or is deficient, the Commissioner is authorized

to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood,

Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505\5681-04202.

Respectfully submitted,

B. Noël Kivlin

Reg. No. 33,929

ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.

P.O. Box 398

Austin, Texas 78767-0398

Phone: (512) 853-8800

Date: January 5, 2006

-2-